

LABOR SERVICES DIVISION[875]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 92.21, the Labor Commissioner hereby gives Notice of Intended Action to amend Chapter 32, “Child Labor,” Iowa Administrative Code.

As part of the process of obtaining a child labor permit, proof of age must be submitted. The acceptable documents for proof of age are set forth in both Iowa Code section 92.11 and 875—paragraph 32.2(2)“a.” 2016 Iowa Acts, House File 2274, amended the list of acceptable documents in Iowa Code section 92.11(2) to include a driver’s instruction permit. This proposed amendment removes the list of acceptable documents from paragraph 32.2(2)“a” and replaces it with a reference to the statutory list.

If requested in accordance with Iowa Code section 17A.4(1)“b” by the close of business on August 22, 2017, a public hearing will be held on August 23, 2017, at 9 a.m. at 150 Des Moines Street, Des Moines, Iowa. The public will be given the opportunity to make oral statements and submit documents. The facility for the oral presentations is accessible to and functional for persons with physical disabilities. Persons who have special requirements should call (515)725–5615 before the meeting to arrange access or other needed services.

Written data, views, or arguments to be considered in adoption shall be submitted no later than August 23, 2017, to Division of Labor Services, 1000 East Grand Avenue, Des Moines, Iowa 50319-0209. Comments may be sent electronically to kathleen.uehling@iwd.iowa.gov.

No variance procedures are included in this rule. Variance procedures are set forth in 875—Chapter 5.

After analysis and review of this rule making, no impact on jobs will occur.

This amendment is intended to implement Iowa Code chapter 92.

The following amendment is proposed.

Amend paragraph **32.2(2)“a”** as follows:

a. The minor, parent, guardian, or custodian shall obtain ~~one of the following documents~~ evidence as set forth in Iowa Code section 92.11(2) establishing the minor’s age:

~~(1) A certified copy of the minor’s birth certificate, if it is available.~~

~~(2) If a certified copy of the minor’s birth certificate is not available, the minor’s passport or a certified copy of the minor’s baptismal record.~~

~~(3) If the documents listed in (1) and (2) are not available, one of the following documents shall be used:~~

~~1. A visa issued by the U.S. government.~~

~~2. A resident alien card issued by the U.S. government.~~

~~3. A physician’s affidavit certifying the minor’s age. A sample physician’s affidavit is available at the labor division’s Web site.~~